

Received & Inspected
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Ultimate Outdoor Adventures LLP
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FCC Mail Room

John Arman
Television Host
Owner/Manager
Executive Producer

October 2013

In the Matter Of:

Ultimate Outdoor Adventures, LLP
For Exemption from the Closed Captioning Requirements
Section 79.1 of the Commission's Rules

Attn: Consumer and Governmental Affairs Bureau,
Disabilities Rights Office Federal Communications Commission

PETITION FOR EXEMPTION

Ultimate Outdoor Adventures, LLP ("UOA"), by its owner John Arman, hereby reverently requests an exemption from the closed captioning requirements of Section 79.1 of the Commissions Rule's and Regulations. In support thereof, it is alleged:

I. PRELIMINARY STATEMENT

Ultimate Outdoor Adventures, LLP is an independently owned operation. But, what makes this operation different than many larger programs is that I am also a "Full-Time" Special Education Teacher within the Bismarck Public School District; therefore, I have limited time to put forth towards programming/editing. UOA consists of one owner and (2) partners who "do not" receive any monetary compensation for there assistance, and they too have other full-time jobs; one is a full-time construction yard manager and the other is a full-time 6th grade teacher. UOA produces a weekly television program, October 20 through April, thirty-minutes in length titled, "Ultimate Outdoor Adventures TV." Currently, two television stations are carrying "Ultimate Outdoor Adventures TV" - NBC/KFYR-TV in Bismarck, North Dakota and FOX/KVRR-TV in Fargo, North Dakota.

UOA is in its eleventh season and on average generates a gross yearling income of approximately \$55,000 - \$75,000 per year. However, after the cost of broadcast, production equipment, sales promotion, travel expenses and additional expenses which accrue from operating an outdoor based television show the net income on average goes directly back into the structure of operation. Additional start-up loans are still a burden due to the fact that I am a "Full-Time" Special Education Teacher, and I had to build/equip an office alongside my place of residence which would allow me to work late at night, and be close to my family.

II. REASONS FOR EXEMPTIONS

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The nature and cost of the closed captions for the programming: UOA has thoroughly investigated the option of closed captions for the programming and according to our findings; it would cost UOA approximately 10% of its annual revenue. This does not include the cost of shipping to and from the company that would complete the dubbing, but because of other full-time commitments, an employee would have to be hired and compensated through salary in order to handle the paperwork associated with the closed captioning and because of the minimal yearly revenue, this is not an option. It isn't so much the cost which would be the greatest burden, but rather, because this isn't a full-time job or a business at this point that could generate enough income for one to make a living, I have to rely on my teaching position to provide a living for my family; therefore, my time is dedicated to my teaching position and then I turn my attention to UOA.

The impact on the operation of the provider or program owner: UOA is a "very" small company/business with one owner, and two partners who "Do Not" receive monetary compensation/salary and are not on any type of payroll. And, due to the fact that I have a full-time teaching position within the Bismarck Public School District, and my partners also have full-time jobs, I/we cannot handle the paperwork, shipping/transportation, arrangements with the dubbing company, and other miscellaneous burdens associated with closed captioning. It is an assurance that an employee would either have to be hired to complete all tasks involved with the burden of closed captioning for the programming, and/or I would have to quite my current full-time teaching position which is not an option because of the size of the business it doesn't generate enough revenue to provide a living for my family. Due to the lack of time given to UOA - because of my full-time teaching position - it isn't uncommon to film a show on a Saturday, edit the show on Wednesday night, and get it to the local television station for broadcast on Saturday. This obviously wouldn't be possible if closed caption was required; this is a small business without the man-power and time to shoot shows and allow weeks to go by allowing for the process of closed captioning.

The financial resources of the provider or program owner: Currently, UOA provides its weekly thirty-minute programs, October 20 - April, to two television station. These broadcast shows generate an approximate gross revenue of \$55,000 - \$70,000 per year - depending on how ad sales go from one year to the next. However, nearly all of the generated revenue is reserved for the cost of airtime, current debt, travel expenses, promotional expenses, and production/equipment cost and maintenance. Unfortunately, adding another \$7,000 - \$10,000 for the cost/service of closed captioning would seriously damage the quality of the program, and possibly make it impracticable to produce/broadcast.

The type of operations of the provider or program owner: Ultimate Outdoor Adventures, LLP produces a weekly program, October 20 - April, devoted to teaching, educating, and entertaining through the heritage of hunting and fishing. As a full-time special educator in Bismarck, North Dakota, I work with and am empathetic towards those that are hearing and seeing impaired, and although Ultimate Outdoor Adventures LLP is a small operation with a current broadcast population of less than 300,000 households; I do not doubt that some hearing impaired person(s) would watch the program on a consistent basis if it were closed captioned; however, not a single complaint has been submitted and/or received to verify this statement. And, because UOA programming is not unique, there are entire

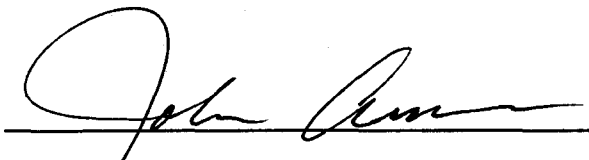
television stations dedicated twenty-four hours per day to hunting and fishing programs that are owned and produced by much larger companies, which are available to the hearing impaired, with closed captioning.

III. Conclusion

I am confident that I have provided enough data that supports the fact that UOA is a very small business, owned by one individual who is also a full-time Special Education Teacher within the Bismarck Public School District, but trying to use minimal time and opportunities to provide an educational and entertaining program within an already saturated market. And, the cost of having to add closed captioning to any of the programs would amount to extreme, time-consuming burdens of which might result in program cancellation. As previously discussed, due to my full-time teaching commitment, allowing for minimal time to film/edit, many programs are given to the television station and broadcast within one or two weeks of the actual filming; obviously, this would not be possible if closed captioning was required. I have also shown that because of the "non-unique" nature of the program (hunting and fishing) offered by UOA, there are numerous other similar programs broadcast most every hour whose annual income and large production staff can/do provide closed captioning.

Therefore, I am confident that I have verified compliance with all the factors specified in 79.1(f) of the Commission's Rules and Regulations. Accordingly, Ultimate Outdoor Adventures LLP should be issued an exemption from the closed captioning requirements.

Respectfully Submitted,
Ultimate Outdoor Adventures, LLP



John Arman
Owner

Today's Date 10/15/13